IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

OP.No. 17485 of 1997(F)

PETITIONER:

M.T.V.KUNHIKANNAN NAMBIAR,
S/O. SANKARAN NAMBIAR, MUNICIPAL
BUS STAND SHOPPING COMPLEX, KANHANGAD.

BY ADV. SRI.S.V.BALAKRISHNA IYER
SMT.SUSEELA R.BHATT

RESPONDENTS:
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1. **THE STATE OF KERALA, REP.BY**
THE CHIEF SECRETARY, GOVERNMENT
SECRETARIAT, TRIVANDRUM.

2. **THE LAND TRIBUNAL NO.II, PAYYANNUR.**

3. **KUNNATH VEETTIL MADHAVI AMMA,**
RESIDING AT SREEKANDAPURAM,
KOTTOOR DESOM.

4. **KUNNATH VEETTIL LAKSHMI AMMA, IN DO. DO.**

5. **KUNNATH VEETTIL PADMANABHAN, IN DO. DO.**

6. **KUN ATH VEETTIL VASANTHA, IN DO. DO.**

7. **KUNNATH VEETTIL INDIRA, IN DO. DO.**

8. **N.O.V.SUMITHRA AMMA, D/O. NARAYANAN NAMBIAR,**
VILAYADAM HOUSE, CHOOLIYAD,
P.O. MALAPPATTAM.

9. **K.T.KUNHIKRISHNAN NAMBIAR, CLERK,**
KOODALI HIGH SCHOOL, KOODALI.

BY GOVERNMENT PLEADER SRI.P.N.SANTHOSH
SRI.A.MOHAMED MUSTAQUE
SRI.V.G.SANKARAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP. NO.17485/1997

ORDER ON CMP. NO.31211/1997 IN OP. NO.17485/1997

DISMISSED

22.10.2007 **SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE APPLICATION FOR IMPLEADING FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT, IN S.M. 57/90. DT. 27.11.95.

EXT.P2:- COPY OF THE ORDER IN EA 97/ SM. NO.57/90 ON THE FILE OF THE 2ND RESPONDENT DT. 31.5.97.

/TRUE COPY/

P.A. TO JUDGE

tss

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.17485 OF 1997

Dated this the 22nd day of October, 2007

JUDGMENT

This original petition is filed challenging an interlocutory order passed in a suo mottu proceedings under the Land Reforms Act, seeking impleadment. The application for impleadment of the writ petitioner, who is a stranger, was refused by the Land Tribunal by Ext.P2 order. At this distant point of time, I do not find any ground to interfere with Ext.P2. I also find no ground in law to hold that the petitioner is a necessary party for the adjudication of the suo mottu proceedings. Under such circumstances, there is no jurisdictional error in Ext.P2. The writ petition fails. The same is accordingly dismissed.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.17485 OF 1997

JUDGMENT

22nd OCTOBER, 2007.

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